

Application No.**Applicant(s)**

10/728,164

BROWN ET AL.

Response to Rule 312 Communication**Examiner****Art Unit**

JOHN J. LEE

2618

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

1. ☒ The amendment filed on 09 December 2008 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The Applicant's amendment after Notice of Allowance (Rule 312) received on December 9, 2008 have been carefully considered but in Examiner's view, the amendment is disapproved because the deleting elements may changed the scope of specification.